

### REMARKS

This application has been reviewed in light of the Office Action dated March 3, 2004. Claims 1, 2, 8, 10-16, 22, 24-30, 36, and 38-40 are presented for examination, of which Claims 1, 15, and 29 are in independent form. Claim 8 has been amended as to a matter of form; no change has been made to the scope of that claim. Favorable reconsideration is requested.

Claims 1, 2, 8, 10-16, 22, 24-30, 36, and 38-40 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,072,942 (Stockwell et al.).

The general nature of the present invention has been adequately discussed in previous papers, and it is not believed to be necessary to repeat that discussion in full. Independent Claim 1 is directed to an e-mail processing method in which a data type of each part included in a received e-mail is identified, the received e-mail being a multi-part e-mail, and a determination is made as to whether each part included in the received e-mail can be processed, in accordance with the identified data type of each respective part. A part as to which it is determined that the part can be processed, is stored, while a part as to which it is determined that the part cannot be processed, is deleted.

Among other important features of the method of Claim 1 is that in accordance with the data type of each part of a multipart e-mail, a determination is made as to whether each part can be processed, and those that can be, are stored, and those that cannot be, are deleted.

*Stockwell* relates to a system for filtering e-mail using nodes, which respectively perform specified filtering functions in the system. Each node analyzes an e-mail to determine whether the e-mail satisfies that node's filtering characteristics. If the filtering characteristics are satisfied, the e-mail is sent to one or more other filters, which in turn

determine whether their respective filtering characteristics are satisfied. If a node's filtering characteristics are not satisfied, the e-mail is rejected. It should be noted that the *Stockwell* system acts, overall, as a binary filter, in that the entire message is accepted, or the entire message is rejected (a rejection occurring if any part of the e-mail fails to meet the criteria imposed by the portion or portions of the system that filter the art in question).

Applicant strongly believes that the method of Claim 1 is patentable over *Stockwell* for at least the reason that *Stockwell* fails to disclose or suggest an e-mail processing method in which only those parts of a multi-part e-mail are deleted, which it is determined cannot be processed, while those parts of the multi-part e-mail that can be processed are stored. By virtue of this feature of the method of Claim 1, recipients of e-mail do not have to waste memory space storing data that cannot be processed. It is to be noted, however, that the method of Claim 1 does not delete an entire e-mail when only some of its parts cannot be processed. Thus, the intended recipient of the e-mail is able to receive the parts of the e-mail that can be processed. In contrast, in the *Stockwell* system, each e-mail is either accepted as a whole, or rejected as a whole. That is, if any portion of an e-mail is rejected for any reason, the e-mail is rejected in its entirety even if one or more other portions of that e-mail satisfy all the filtering functions.

For at least these reasons, Applicant submits that Claim 1 is clearly allowable over *Stockwell*.

Independent Claims 15 and 29 are, respectively, an apparatus and a storage-medium claim corresponding to method Claim 1, and are believed to be allowable over *Stockwell* at least by virtue of the reasons discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Leonard P. Diana". The signature is written in dark ink and is positioned above the printed name.

Leonard P. Diana  
Attorney for Applicant  
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 414653v1